

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DEBORAH GUIDOTTI LIBERTO,  
Plaintiffs,

v.

07cv0551

**ELECTRONICALLY FILED**

STARWOOD HOTELS & RESORTS  
WORLDWIDE, INC., STARWOOD HOTELS  
& RESORTS WORLDWIDE, INC. trading and  
doing business as SHERATON VISTANA  
RESORT, SHERATON VISTANA RESORT a  
corporation, SHERATON HOTELS a  
corporation,

Defendants.

**Order on Rule to Show Cause**

On April 30, 2007, because this Court was “unable to discern the amount in controversy involved in this case, which may or may not, depending on the extent of plaintiffs’ alleged injuries and damages, exceed the jurisdictional predicate amount in controversy,” the Court directed the parties or counsel to file “affidavits setting forth their good faith beliefs in the amount of controversy involved and the basis for their beliefs” that the amount in controversy exceeded the \$75,000 threshold, or not. The Court further noted that if plaintiffs were to stipulate that they did not seek an amount in excess of \$75,000.00, and would remit any amount recovered in excess of \$75,000.00, it would in that case appear to a legal certainty that this Court would be without jurisdiction.

On May 10, 2007, counsel for defendant and for plaintiff each filed Affidavits stating their good faith belief (respectively, docs. no. 6 and 8) that the amount in controversy was reasonably likely to exceed the \$75,000 threshold, and setting forth the reasons for their beliefs.

Accepting the reasonableness of counsel's explanations and representations, and the good faith of their professional judgment and beliefs, this Court will dissolve the rule to show cause, and notes its diversity jurisdiction to entertain this case pursuant to 28 U.S.C. §1332.

SO ORDERED this 17<sup>th</sup> day of May, 2007

s/ Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

cc: All counsel of record